



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,279	12/03/2003	Sea-Huang Lee	OTMP0055USA	1278
27765	7590	05/03/2005	EXAMINER	
NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)			TSIDULKO, MARK	
P.O. BOX 506			ART UNIT	PAPER NUMBER
MERRIFIELD, VA 22116			2875	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,279

Applicant(s)

LEE ET AL.

Examiner

Mark Tsidulko

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-19 is/are allowed.
- 6) ☒ Claim(s) 1,3,6,11 and 810 is/are rejected.
- 7) ☒ Claim(s) 2,4,5,7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because of using claim language:

“**comprises**” (line 1) should be changed to “**has**”.

Correction is required. See MPEP § 608.01(b).

Claim Objections

Claim 12 is objected to because of the following informalities:

- the phrase “**An**adjusting apparatus...” (line 1) should be changed to the phrase “An adjusting apparatus...”
- the phrase “...and two adjusting, one end...” (second paragraph, line 2) should be changed to the phrase “...and two adjusting **devices**, one end...”
- the phrase “adjacent surfaces of said fixing plates” (second paragraph, Line 3) should be changed to the phrase “adjacent surfaces of said fixing plate”, because the device includes only one fixing plate [421].

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2875

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. (US 6,837,569) in view of Hashizume et al. (US 6,000,802).

Referring to Claim 1 Tanaka et al. disclose (Fig.8) a lighting device including a base [41] having a container (under spacer [47]) with a guide-groove [51], an adjusting module including adjusting plates [43] and [44], guide-grooves [55] and guide pins [52] and a cover [42].

Tanaka et al. discloses the instant claimed invention except for two adjusting devices on side surfaces of the base.

Hashizume et al. disclose (Fig.6A) a projection display having two adjusting devices [736] and [746] located on side surfaces. This arrangement allows to adjust the lens in vertical and in a horizontal direction.

Referring to Claims 3, 8 Tanaka et al. disclose (Fig.8) that the cover [42] has a window smaller than the dimension of the adjusting plate.

Referring to Claim 6 Tanaka et al. disclose (Fig.8) a lighting device including a base [41] having a container (under spacer [47]) with a guide-groove [51], an adjusting module including adjusting plates [43] and [44], guide-grooves [55] and guide pins [52] and a cover [42].

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the adjusting devices, as taught by Hashizume et al., for the device of Tanaka et al. in order to improve adjustability.

Allowable Subject Matter

Claims 2, 4, 5, 7, 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

Referring to Claims 2, 7 the prior art of record fails to show an adjusting apparatus wherein adjusting devices are moved parallel to the length direction of the guide-grooves.

Referring to Claim 4 the prior art of record fails to show an adjusting apparatus wherein the guide-grooves have repositioning device inside, two ends of which respectively pressing to the guide pin and to a surface of the guide-groove.

Claim 5 is objected as claim depended on claim 4.

Referring to Claim 9 the prior art of record fails to show an adjusting apparatus wherein one end of the adjusting device has at least one repositioning device in accordance with the position of the adjusting device, one end of the repositioning device is fixed to the side surface of the base, and the other end pressing to the side surface of the adjusting plate.

Claims 10 and 11 are objected as claims depended on claim 9.

Claims 12-19 are allowed.

The following is an examiner's statement of reasons for allowance:

Referring to Claim 12 the prior art of record fails to show an adjusting apparatus including a fixing plate having slide-grooves and two adjusting plates adjacent surfaces of the fixing plate, the adjusting plate placing guide-pins in accordance with the guide-grooves.

Claims 13-19 are allowed as claims depended on claim 12.

Art Unit: 2875

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**JOHN ANTHONY WARD
PRIMARY EXAMINER**